

Issued May 21, 1913

United States Department of Agriculture,

OFFICE OF THE SECRETARY.

NOTICE OF JUDGMENT NO. 2332.

(Given pursuant to section 4 of the Food and Drugs Act.)

ADULTERATION AND MISBRANDING OF SYRUP.

On November 27, 1912, the United States Attorney for the Southern District of Ohio, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against the F. N. Johnson Co., a corporation, Bellefontaine, Ohio, alleging shipment by said company, in violation of the Food and Drugs Act, on January 2, 1912, from the State of Ohio into the State of Iowa, of a quantity of syrup which was adulterated and misbranded. The product was labeled: "Wild Forest Brand Syrup Cane 80% and Maple 20% Put up by F. N. Johnson Co., Bellefontaine, Logan Co. O. Guaranteed under the Food and Drugs Act, June 30, 1906. Serial No. 1687."

Analysis of a sample of the product by the Bureau of Chemistry of this Department showed the following results: Solids by refractometer, 63.39 per cent; nonsugar solids, 0.40 per cent; sucrose, Clerget, 62.23 per cent; reducing sugars as invert before inversion, 0.76 per cent; commercial glucose (factor 163), none; polarization direct, temperature 25° C., 61.0° V.; polarization invert, temperature, 25° C., -20.0° V.; polarization invert, temperature 87° C., 0.0; ash, 0.15 per cent; ash soluble in water, 0.08 per cent; ash insoluble in water, 0.07 per cent; alkalinity soluble ash (cc N/10 acid per 100 grams), 18.0; lead precipitate (Winton number), 0.27. Adulteration of the product was alleged in the information for the reason that a certain substance, to wit, an excessive amount of water, had been mixed and packed with it so as to reduce, lower, and injuriously affect its quality and strength and for the further reason that a certain substance, to wit, an excessive amount of water, had been

substituted in part for the product. Misbranding was alleged for the reason that the label and brand on the product bore a statement concerning it and the ingredients and substances contained therein which said statement, to wit, "Syrup Cane 80% and Maple 20% " was false, misleading, and deceptive in that it purported and represented the product to be composed entirely of cane syrup and maple syrup in the proportions stated, whereas in fact the product contained an excessive amount of water. Misbranding was alleged for the further reason that the product was labeled and branded as aforesaid so as to deceive and mislead the purchaser thereof into the belief that it was a pure cane and maple syrup, whereas, in truth and in fact, it was a mixture of said syrups and an excessive amount of water.

On December 3, 1912, the defendant company entered a plea of nolo contendere to the information and the court imposed a fine of \$5, with costs of \$16.35.

W. M. HAYS,

Acting Secretary of Agriculture.

WASHINGTON, D. C., *March 1, 1913.*

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